

# **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. DON HARMON

CO-CHAIR:  
REP. RON SANDACK

EXECUTIVE DIRECTOR:  
VICKI THOMAS



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SEN. BILL BRADY  
SEN. KAREN McCONAUGHAY  
SEN. TONY MUÑOZ  
SEN. MATT MURPHY  
SEN. IRA SILVERSTEIN  
REP. GREG HARRIS  
REP. LOU LANG  
REP. DAVID R. LEITCH  
REP. ANDRÉ THAPEDI  
REP. MIKE TRYON

## **MINUTES**

**December 15, 2015**

### **MEETING CALLED TO ORDER**

The Joint Committee on Administrative Rules met on Tuesday, December 15, 2015 at 11:00 a.m. in Room 600C of the Michael A. Bilandic Building, Chicago IL. Co-Chair Sandack called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments to the JCAR office in writing.

### **ATTENDANCE ROLL CALL**

X Senator Bill Brady	X Representative Greg Harris
X Senator Don Harmon	X Representative Lou Lang
Senator Karen McConaughay	X Representative David Leitch
X Senator Tony Muñoz	X Representative Ron Sandack
X Senator Matt Murphy	X Representative André Thapedi
X Senator Ira Silverstein	Representative Mike Tryon

### **APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2015 MEETING**

Representative Lang moved, seconded by Representative Leitch, that the minutes of the November 17, 2015 meeting be approved. The motion passed unanimously (10-0-0).

### **REVIEW OF AGENCY RULEMAKINGS**

*Department of Children and Family Services – Reports of Child Abuse and Neglect (89 Ill. Adm. Code 300; 39 Ill. Reg. 1); Placement and Visitation Services (89 Ill. Adm. Code 301; 39 Ill. Reg. 19); Services Delivered by the Department of Children and Family Services (89 Ill. Adm. Code 302; 39 Ill. Reg. 47); Access to and Eligibility for Child Welfare Services (89 Ill. Adm. Code 304; 39 Ill. Reg. 62); Adoption Services for Children for Whom the Department of Children and Family Services is Legally Responsible (89 Ill. Adm. Code 309; 39 Ill. Reg. 74); Permanency Planning (89 Ill. Adm. Code 315; 39 Ill. Reg. 98); Administrative Case Reviews and Court Hearings (89 Ill. Adm. Code 316; 39 Ill. Reg. 123); Interstate Placement of Children (89 Ill. Adm. Code 328; 39 Ill. Reg. 137); Service Appeal Process (89 Ill. Adm. Code 337; 39 Ill. Reg. 143); Appeal of Foster Family Home License Denials by Relative Caregivers (89 Ill. Reg. 338; 39 Ill. Reg. 153); Authorized Child Care Payments (89 Ill. Adm. Code 359; 39 Ill. Reg. 159); Licensing Standards for Foster Family Homes (89 Ill. Adm. Code 402; 39 Ill. Reg. 165)*

Senator Brady moved, seconded by Representative Harris, that JCAR object to the Department of Children and Family Services' failure to adopt these rulemakings by the statutorily required 1/1/13 promulgation date. The motion passed unanimously (10-0-0).

### **AGENCY RESPONSE**

*Department of Healthcare and Family Services – Medical Payment (89 Ill. Adm. Code 140; 39 Ill. Reg. 10427) (Emergency); Hospital Services (89 Ill. Adm. Code 148; 39 Ill. Reg. 10453) (Emergency)*

*Department of Human Services – Child Care (89 Ill. Adm. Code 50; 39 Ill. Reg. 10072) (Emergency)*

*Illinois Racing Board – Entries, Subscriptions, and Declarations (11 Ill. Adm. Code 1413; 39 Ill. Reg. 10465) (Emergency)*

*Illinois Labor Relations Board – General Procedures (80 Ill. Adm. Code 1200; 39 Ill. Reg. 10641) (Emergency)*

No further action was taken.

### **CONSIDERATION OF OTHER RULEMAKINGS**

*Illinois Gaming Board – Video Gaming (General) (11 Ill. Adm. Code 1800; 39 Ill. Reg. 8363)*

Representative Lang moved, seconded by Senator Brady, that, with concurrence of the agency, consideration of this rulemaking be extended for an additional 45 days. The motion passed unanimously (10-0-0).

*State Board of Elections – Established Political Party and Independent Candidate Nominating Petitions (26 Ill. Adm. Code 201; 39 Ill. Reg. 12485); New Political Party Nominating Petitions (26 Ill. Adm. Code 202; 39 Ill. Reg. 12490)*

Representative Lang moved, seconded by Senator Murphy, that, with the concurrence of the agency, consideration of these rulemakings be extended for an additional 45 days. The motion passed unanimously (10-0-0).

*Department of Labor – Job Opportunities for Qualified Applicants Act (56 Ill. Adm. Code 340; 39 Ill. Reg. 11206)*

Senator Murphy moved, seconded by Senator Brady, that JCAR object to the Department of Labor's refusal to state in Section 340.210(d) of this rulemaking how the Department will define the "reasonable period of time" within which a party to a complaint review can request a Department determination that good cause beyond the party's control caused an untimely submission, allowing the submission to be considered by the Department. Section 5-10 of the Illinois Administrative Procedure Act requires that any agency policy that affects an entity outside the agency be stated in rule. The motion passed unanimously (10-0-0).

## **CERTIFICATION OF NO OBJECTION**

Senator Muñoz moved, seconded by Senator Murphy, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously (10-0-0).

## **JANUARY MEETING DATE**

Co-Chair Harmon announced that the next monthly meeting of JCAR is scheduled for 10:30 a.m. on Wednesday, January 13, 2016, in Room C-1 of the Stratton Office Building, Springfield IL.

## **ADJOURNMENT**

Senator Silverstein moved, seconded by Representative Thapedi, that the meeting stand adjourned. The motion passed unanimously.

*Min:1215Dec*